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COUNTY OF CONTRA COSTA and  
SHERIFF WARREN RUPF

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Attorneys for Plaintiff  
PETER MAHER

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

PETER MAHER

Plaintiff,

v.

CONTRA COSTA COUNTY,  
SHERIFF WARREN RUPF,  
and Does 1 through 10

Defendants.

No. C 10-01491 CRB

STIPULATION AND ~~PROPOSED~~ ORDER  
TO EXCUSE SHERIFF RUPF FROM  
ATTENDING THE SETTLEMENT  
CONFERENCE

IT IS HEREBY STIPULATED BY AND BETWEEN COUNSEL FOR ALL PARTIES:

WHEREAS on September 21, 2010 this Court set a Settlement Conference in this  
action for October 15, 2010; and

1 WHEREAS Sheriff Warren Rupf is sued only in his official capacity; and  
2 WHEREAS Sheriff Warren Rupf has no personal knowledge of the events that  
3 allegedly occurred in the jail on June 3, 2009; and

4 WHEREAS Sheriff Warren Rupf is unavailable to attend the Settlement Conference  
5 due to previously scheduled duties and obligations as the Sheriff of Contra Costa County; and

6 WHEREAS the parties wish to proceed with the scheduled Settlement Conference date;  
7 and

8 WHEREAS Penny Bailey, Acting Liability Assistant Risk Manager will attend the  
9 Settlement Conference with authority to negotiate settlement.

10  
11 THE PARTIES JOINTLY REQUEST THAT THIS COURT EXCUSE SHERIFF  
12 WARREN RUPF'S PERSONAL APPEARANCE AT THE OCTOBER 15, 2010  
13 SETTLEMENT CONFERENCE.

14  
15 DATE: October 8, 2010

SHARON L. ANDERSON  
COUNTY COUNSEL

17  
18 /s/

19 By: \_\_\_\_\_  
20 Monika L. Cooper  
21 Deputy County Counsel  
22 Attorneys for Defendants  
COUNTY OF CONTRA COSTA and  
SHERIFF WARREN RUPF

23  
24 DATE: October 8, 2010

LAW OFFICES OF JOHN BURRIS

25 /s/

26 By: \_\_\_\_\_  
27 STEVEN R. YOURKE  
Attorney for Plaintiff  
28 PETER MAHER

**ORDER**

Good cause appearing therefore, and based on the above stipulation of the parties, by and through counsel, IT IS HEREBY ORDERED that Sheriff Warren Rupf be excused from attending the settlement conference set for October 15, 2010.

DATED: October 13, 2010

  
JAMES LARSON  
United States Magistrate Judge